

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF MAY 30-31, 2013
Prepared April 2012

ITEM NUMBER: 11

SUBJECT: Amending the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in Lower Santa Maria River Watershed and Tributaries to Oso Flaco Lake

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THIS ACTION: Adopt Resolution No. R3-2013-0013

SUMMARY

For this agenda item, staff recommends the Central Coast Water Board approve the resolution (Attachment 1 to this Staff Report) that establishes Total Maximum Daily Loads (TMDLs) for nitrogen compounds (nitrate and unionized ammonia) and orthophosphate for streams within the lower Santa Maria River watershed and tributaries to Oso Flaco Lake.

TMDLs are strategies/plans to restore clean water. Section 303(d) of the federal Clean Water Act requires every state to evaluate its waterbodies and maintain a list of waters that are considered "impaired" either because the water exceeds water quality standards or does not achieve its designated use. For each water on the Central Coast Water Board's "303(d) Impaired Waters List," the Central Coast Water Board must develop and implement a plan to reduce pollutants so that the waterbody is no longer impaired and can be de-listed. The Central Coast Water Board is the agency responsible for protecting water quality consistent with the Water Quality Control Plan for the Central Coastal Basin (Basin Plan), including developing TMDLs for waterbodies identified as not meeting water quality objectives.

The geographic scope of this TMDL encompasses approximately 237 square miles of the lower Santa Maria River watershed and includes tributaries to Oso Flaco Lake. The TMDL Project area corresponds with the Guadalupe Hydrologic Area (312.10) as contained in the Basin Plan. Please refer to Figure 1, below, for a map of the TMDL project area. The Santa Maria River receives flow from the Cuyama River upstream to the northeast, with flows regulated by Twitchell Dam. The Santa Maria also receives flow from the Sisquoc River to the southeast and various smaller tributaries in the lower watershed before discharging through the Santa Maria River Estuary and into the Pacific Ocean. Oso Flaco Lake is the receiving water for approximately 16 square miles with tributary flows from Oso Flaco Creek and Little Oso Flaco Creek.

Staff is proposing TMDLs for nitrogen compounds (nitrate and unionized ammonia) and orthophosphate in the lower Santa Maria River watershed and tributaries to Oso Flaco Lake, including Blosser Channel, Bradley Canyon Creek, Bradley Channel, Greene Valley Creek, Main Street Canal, North Main Street Channel, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, and Santa Maria River. Staff is collecting additional water quality data for Oso Flaco Lake and will propose a nutrient TMDL for the lake at a later time.

Blosser Channel, Bradley Canyon Creek, Bradley Channel, Greene Valley Creek, Main Street Canal, Orcutt Creek, and Oso Flaco Creek are listed on the 2008-2010 Clean Water Act 303(d) list as impaired due to unionized ammonia. These waterbodies do not meet the Basin Plan toxicity objectives for inland surface waters, enclosed bays, and estuaries.

Blosser Channel, Bradley Canyon Creek, Bradley Channel, Greene Valley Creek, Main Street Canal, North Main Street Channel, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, Oso Flaco Lake, and Santa Maria River are on the 2008-2010 Clean Water Act 303(d) list of impaired waters for nitrate impairment. Consequently, designated drinking water supply (MUN) and groundwater recharge (GWR) beneficial uses are not being supported for these waterbodies, with the exception of Oso Flaco Lake which does not have the MUN beneficial use. Additionally, these waterbodies also do not meet non-regulatory recommended guidelines for nitrate in agricultural supply water (AGR) for sensitive crop types, indicating that potential or future designated agricultural supply beneficial uses may be detrimentally impacted¹. The groundwater recharge (GWR) beneficial use of these waterbodies provides a nexus² between water quality in both the surface water and groundwater because these waterbodies and the underlying groundwater resource are both designated for MUN and AGR beneficial uses.

Bradley Canyon Creek, Greene Valley Creek, Little Oso Flaco Creek, Orcutt Creek, Oso Flaco Creek, and Santa Maria River downstream of Highway 1 to the Santa Maria River Estuary exhibit biostimulatory conditions due to excessive levels of nitrate and orthophosphate. Nitrate and orthophosphate are biostimulatory substances. The Basin Plan contains narrative water quality objectives for biostimulatory substances, stating that waters shall not contain biostimulatory substances in concentrations that promote aquatic growths that cause nuisance or adversely affect beneficial uses. Excessive nitrate and orthophosphate concentrations result in excessive algal productivity and low dissolved oxygen concentrations that do not meet water quality objectives. As a result, staff is proposing TMDLs for nitrate and orthophosphate.

Bradley Canyon Creek and Greene Valley Creek are on the 2008-2010 Clean Water Act 303(d) list of impaired waters for low dissolved oxygen impairment. Orcutt Creek and Santa Maria River Estuary are not on the 2008-2010 Clean Water Act 303(d) list of impaired waters for low dissolved oxygen impairment; however, staff has concluded that these water bodies do not meet water quality objectives for dissolved oxygen. The proposed TMDL addresses biostimulatory impairments; as such dissolved oxygen impairments that are credibly linked to

¹ High concentrations of nitrate in irrigation water can potentially create problems for sensitive crops (e.g., grapes, avocado, and citrus) by detrimentally impacting crop yield or quality. Nitrogen in the irrigation water acts the same as fertilizer nitrogen and excesses may cause problems just as fertilizer excesses cause problems. The Basin Plan contains University of California Agricultural Extension Service guideline values for nitrate in irrigation water; these guidelines are flexible, and may not necessarily be appropriate due to local conditions or special conditions of crop, soil, and method of irrigation.

² The Basin Plan GWR beneficial use explicitly states that the designated groundwater recharge use of surface waters is to be protected to maintain groundwater quality. As such, where necessary, the GWR beneficial uses of the surface waters need to be protected so as to support and maintain the MUN or AGR beneficial uses of the underlying groundwater resource. Protection of the GWR beneficial use of surface waters has been recognized previously in approved California TMDLs.

biostimulation problems (i.e., elevated algal biomass, wide diel variability in dissolved oxygen/pH, and elevated nutrients) will be addressed in this TMDL.

The proposed TMDLs, numeric targets, and load allocations for unionized ammonia, nitrate, and orthophosphate will result in meeting water quality objectives in the Santa Maria River and Oso Flaco Lake watersheds and rectify the impairments identified above. Central Coast Water Board staff has identified sources that are causing or contributing to water quality impairment, has identified parties responsible for these sources pollutants driving the impairments, and has proposed pollutant allocations necessary to achieve the TMDLs.

The technical report that supports the basin plan amendment is the Final Project Report for the TMDLs. The Final Project Report (Attachment 2 to this Staff Report) is available at the Central Coast Water Board website at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/docs/santa_maria/nutrients/index.shtml

DISCUSSION

Project Development for TMDLs

Staff developed the TMDL using water quality data from the Water Board's Central Coast Ambient Monitoring Program (CCAMP), the Cooperative Monitoring Program (CMP), City of Santa Maria, and County of Santa Barbara's Project Clean Water. The CMP is managed by Central Coast Water Quality Preservation, Inc., which is the monitoring entity that works on behalf of central coast growers. Staff also used land use data, hydrologic data, soils data, and groundwater data from the U.S. Geological Survey, National Hydrography Dataset, the California Department of Conservation, the U.S. Department of Agriculture-Natural Resource Conservation Service, as well as from other agency and scientific sources. Staff derived the proposed stream numeric targets for nitrate and orthophosphate using U.S. EPA-recommended approaches.

Numeric Targets

Numeric targets are water quality targets developed and used to ascertain when and where water quality objectives are achieved, and hence, when beneficial uses are protected.

➤ *Target for Nitrate (MUN-GWR standards)*

For impaired stream reaches that are required to support drinking water (MUN) and groundwater recharge (GWR) beneficial uses, the nitrate numeric target is 10 mg/L (nitrate as N) for this TMDL, which therefore is equal to the Basin Plan's numeric nitrate water quality objective protective of drinking water beneficial uses.

➤ *Target for Unionized Ammonia (toxicity)*

For unionized ammonia (a nitrogen compound), the numeric target is 0.025 mg/L (as N) for this TMDL, which therefore is equal to the Basin Plan's unionized ammonia numeric water quality objective protective against toxicity in surface waters.

➤ *Targets for Biostimulatory Substances (nitrate and orthophosphate)*

The Basin Plan contains the following narrative water quality objectives for biostimulatory substances:

“Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.”

To implement this narrative objective, staff developed scientifically peer reviewed numeric targets, based on established methodologies and approaches. The numeric targets for biostimulatory substances are presented in Table 1.

Table 1. Numeric targets for biostimulatory substances.

Stream Reaches	Nitrate (mg/L-N)	Orthophosphate (mg/L-P)
Lower Santa Maria River from Highway 1 to Santa Maria River Estuary, Santa Maria River Estuary, Orcutt Creek, Greene Valley Creek, Bradley Canyon Creek	4.3 Dry Season Samples (May 1-Oct 31)	0.19 Dry Season Samples (May 1-Oct 31)
	8.0 Wet Season Samples (Nov 1-Apr 30)	0.3 Wet Season Samples (Nov 1-Apr 30)
Oso Flaco Creek, Little Oso Flaco Creek	5.7 Year Round Samples	0.08 Year Round Samples

➤ *Targets for Nutrient-Response Indicators (dissolved oxygen, chlorophyll a, and microcystins)*

Dissolved oxygen, chlorophyll *a*, and *microcystin* numeric targets are identified to ensure that streams do not show evidence of biostimulatory conditions, and to provide primary indicator metrics to assess biological response to future nutrient water column concentration reductions.

For water bodies designated as cold fresh water habitat (COLD) and spawning (SPWN) beneficial uses the dissolved oxygen numeric targets is the same as Basin Plan numeric water quality objective which states that dissolved oxygen concentrations shall not be reduced below 7.0 mg/L at any time.

For water bodies designated as warm fresh water habitat (WARM) beneficial use and for waters not mentioned by a specific beneficial use, the dissolved oxygen numeric target is the same as Basin Plan numeric water quality objective which states that dissolved oxygen concentration shall not be reduced below 5.0 mg/L at any time.

Additionally, for all inland surface waters, enclosed bays and estuaries, the dissolved oxygen numeric target is the same as the Basin Plan numeric water quality objective which states that median dissolved oxygen should not fall below 85% saturation as a result of controllable water quality conditions.

For water bodies designated as cold fresh water habitat (COLD) and spawning (SPWN) or warm fresh water habitat (WARM) beneficial uses the numeric water quality target indicative of

excessive dissolved oxygen saturation conditions dissolved oxygen is 13 mg/L (i.e., water column dissolved oxygen concentrations not to exceed 13 mg/L.)

The numeric water quality target for chlorophyll *a* is 15 micrograms per liter ($\mu\text{g/L}$) for all water bodies (i.e., water column chlorophyll *a* concentrations not to exceed 15 $\mu\text{g/L}$).

The numeric water quality target for microcystin is 0.8 $\mu\text{g/L}$ for all waterbodies (i.e., water column microcystin concentrations not to exceed 0.8 $\mu\text{g/L}$ includes the congeners LA, LR, RR, and YR).

Source Analysis

Discharges of unionized ammonia, nitrate, and orthophosphate from irrigated agriculture, urban lands, grazing lands, and natural sources are contributing loads to receiving waters. These source categories are assigned allocations for unionized ammonia, nitrate, and orthophosphate to achieve the TMDLs. Staff concludes that irrigated agriculture contributes the overwhelming majority of controllable nutrient load in the TMDL project area and this source category is not currently meeting its proposed load allocation.

TMDLs and Allocations

The TMDL represents the loading capacity of a waterbody—the amount of a pollutant that the waterbody can assimilate and still support beneficial uses. The TMDL is the sum of allocations for nonpoint and point sources and any allocations for a margin of safety. Owners and operators of irrigated lands, municipal storm water entities, natural sources, and owners/operators of livestock and domestic animals are assigned unionized ammonia, nitrate, and orthophosphate load allocations equal to the TMDL and numeric targets.

The unionized ammonia TMDLs for all waters and reaches of the Santa Maria River and Oso Flaco Lake watersheds, including Blosser Channel, Bradley Channel, Bradley Canyon Creek, Greene Valley Creek, Main Street Canal, North Main Street Channel, Nipomo Creek, Orcutt Creek, Oso Flaco Creek, Little Oso Flaco Creek, Santa Maria River, and the Santa Maria River Estuary is:

- Unionized ammonia concentration shall not exceed 0.025 mg/L-N in receiving waters.

The nitrate TMDL for all waters and reaches of the Santa Maria River and Oso Flaco Lake Watersheds required to support the MUN beneficial use, including, Blosser Channel, Bradley Channel, Nipomo Creek, Main Street Canal, North Main Street Channel, and Santa Maria River (upstream of Highway1) is:

- Nitrate concentration shall not exceed 10 mg/L-N in receiving waters.

The nitrate and orthophosphate TMDLs for lower Santa Maria River (from Highway 1 to Pacific Ocean), the Santa Maria River Estuary, and all reaches and tributaries of Orcutt Creek, Greene Valley Creek, and Bradley Canyon Creek are:

- For dry season (May 1 to October 31): Nitrate concentration shall not exceed 4.3 mg/L-N in receiving waters; orthophosphate concentration shall not exceed 0.19 mg/L-P in receiving waters, and
- For wet season (November 1 to April 30): Nitrate concentration shall not exceed 8.0 mg/L-N in receiving water; orthophosphate concentration shall not exceed 0.3 mg/L-P in receiving water.

The nitrate and orthophosphate TMDLs for all reaches and tributaries of Oso Flaco Creek and Little Oso Flaco Creek are:

- For all seasons: Nitrate shall not exceed 5.7 mg/L-N in receiving waters; orthophosphate shall not exceed 0.08 mg/L-P in receiving waters.

The TMDLs are considered achieved when water quality conditions meet all regulatory and policy requirements necessary for removing the impaired waters from Clean Water Act section 303(d) list of impaired waters.

The TMDLs establish final concentration-based allocations that are to be attained by 30 years after the TMDL is approved by the Office of Administrative Law (OAL). To assess progress towards achieving the final allocations, the TMDLs establish interim allocations such that nitrate allocations protective of the MUN beneficial use and unionized ammonia allocations preventing toxicity are attained in 12 years, that *wet season* nitrate and orthophosphate allocations protective of biostimulatory substances are attained in 20 years, and that the more stringent *dry season* nitrate and orthophosphate allocations protective of biostimulatory substances are attained as final load allocations in 30 years. More detail pertaining to allocations is provided in the Basin Plan amendment language contained in Attachment 1.

Implementation and Monitoring

The Conditional Waiver of Waste Discharge Requirements for Irrigated Lands (Order R3-2012-0011) requires dischargers from irrigated lands to implement practices to achieve water quality objectives. Executive Order R3-2012-0011 (Agricultural Order) also requires dischargers to implement Monitoring and Reporting Programs in accordance with Orders R3-2012-0011-01, R3-2012-0011-02, and R3-2012-0011-03. The requirements in these orders, and their renewals or replacements in the future, will implement the TMDLs and rectify the impairments addressed in this TMDL. Implementing parties will comply with the Agricultural Order, and if/where appropriate, consistent with the current Agricultural Order, renewals or replacements of the Agricultural Order, and this TMDL.

Note that the current Agricultural Order requires dischargers to comply with applicable TMDLs. If the Agricultural Order did not provide the necessary requirements to implement this TMDL, staff would propose modifications of the Agricultural Order in order to achieve this TMDL. Staff has concluded that the current Agricultural Order provides the requirements necessary to implement this TMDL. Therefore, no new requirements are proposed as part of this TMDL.

Note that the Agricultural Order states that compliance is determined by a) management practice implementation and effectiveness, b) treatment or control measures, c) individual discharge monitoring results, d) receiving water monitoring results, and e) related reporting. The Agricultural Order also requires that dischargers comply by implementing and improving management practices and complying with the other conditions, including monitoring and reporting requirements, which is consistent with the Nonpoint Source Pollution Control Program (NPS Policy, 2004). Finally, the Agricultural Order states that dischargers shall implement management practices, as necessary, to improve and protect water quality and to achieve compliance with applicable water quality objectives. Therefore, compliance with this TMDL is demonstrated through compliance with the Agricultural Order, which provides several avenues for demonstrating compliance, including management practices that improve water quality that lead to ultimate achievement of water quality objectives.

Parties responsible for stormwater discharges are required to develop wasteload allocation attainment programs (WAAP). The WAAP will contain steps the MS4 will take to assess its

contribution, develop a list of likely sources, prioritize them, develop and implement best management practices targeting those sources, and assess the effectiveness of the practices. The MS4 will submit the WAAP to the Water Board and will report during the implementation phase.

Based on available information, owners and operators of grazing operations and domestic animals on grazing lands are in compliance with their load allocation. As such, new regulatory mechanisms, reporting requirements, and formal regulatory oversight are deemed unnecessary for this source category and are not being proposed. To maintain and protect existing water quality, owners and operators of grazing operations should begin or continue to self-monitor, self-assess and make management decisions consistent with technical guidance from existing rangeland water quality management plans, for example, the California Rangeland Water Quality Management Plan, the Central Coast Cattlemen's Grazing Lands Nonpoint Source Approach, or in conjunction with other resources appropriate to private grazing lands.

Time Schedule for Tracking Progress and Achieving the TMDLs

Water Board staff proposes non-regulatory goals to achieve milestones during the implementation phase of the TMDL. The first is a 12-year goal to achieve the nitrate MUN standard and unionized ammonia water quality objective, then a 20-year goal to achieve the year-round and less stringent wet season biostimulatory target-based allocations. Staff proposes a 30-year timeframe to achieve all numeric targets and TMDLs.

The 30-year timeframe to achieve the TMDLs is based on the estimate that legacy nutrient loads, which may be unrelated to current practices and are originating from groundwater and baseflow, may continue to contribute elevated nutrients to project area surface waters for several years.

ENVIRONMENTAL SUMMARY

The California Resources Agency has certified the basin planning process in accordance with section 21080.5 of the Public Resources Code. The process is therefore exempt from Chapter 3 of the California Environmental Quality Act (CEQA). The analysis contained in the Final Project Report (attachment 2), the CEQA Substitute Environmental Document (attachment 3, this staff report), and the responses to comments comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations, Title 23, section 3775 et seq. Furthermore, the analysis fulfills the Central Coast Water Board's obligations attendant with the adoption of regulations "requiring the installation of pollution control equipment, or a performance standard or treatment requirement," as set forth in section 21159 of the Public Resources Code. All public comments were considered.

Public Resources Code section 21159 provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement:

- 1) an environmental analysis of the reasonably foreseeable methods of compliance,
- 2) an analysis of the reasonably foreseeable environmental impacts of the methods of compliance,
- 3) an analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts, and
- 4) an analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts.

Section 21159(c) requires that the environmental analysis take into account a reasonable range of environmental, economic, and technical factors; population and geographic areas; and specific sites.

The CEQA Substitute Document Report (attachment 3) provides the environmental analysis required by Public Resources Code section 21159. The CEQA Report identifies reasonably foreseeable methods of compliance with the TMDL and specifies in the CEQA checklist whether there are any anticipated impacts to the environment associated with the reasonably foreseeable methods of compliance.

The CEQA Environmental Checklist and associated analysis provide the necessary information pursuant to state law to conclude that the proposed TMDL, Implementation Plan, and the associated reasonably foreseeable methods of compliance will not have a significant adverse effect on the environment with the exception of *potentially* significant impacts associated with Biological Resources – CEQA Checklist Category IV(a). and *potentially* significant impacts to habitat of fish or wildlife species associated with Mandatory Findings of Significance – CEQA Checklist Category XVII.(a). Water Board staff have made this determination based on best available information in an effort to fully inform the interested public and the decision makers of potential environmental impacts.

While wildlife and/or sensitive or endangered species are found on or adjacent to lands which may require compliance measure to implement the TMDL, it should be noted there are also likely negative effects on these species because of current water quality degradation and excess nutrients associated with agricultural discharges. In other words, while rare, sensitive, threatened or endangered species may be present in areas which may require compliance measures, low dissolved oxygen, and toxicity due to unionized ammonia and water quality degradation are not considered to be a desirable condition for the health and long term sustainability of these species. It is widely acknowledged by many resource professionals and in the scientific literature³ that water quality degradation, stream alteration, and human activities have, on balance, have constituted an adverse impact to the natural biodiversity of the lower Santa Maria River and Oso Flaco Lake watersheds. Consequently, while sensitive species or other wildlife may be present in some areas because of the discharged water, continuing to discharge water of low quality is not an environmentally desirable or sustainable practice with respect to the viability of sensitive species.

Also noteworthy is the fact that nutrient control strategies and measures in agricultural watersheds have been underway for many years in various agricultural watersheds in the State and throughout the nation. Based on the literature, research, and information staff has surveyed for this project, we are unaware of any cases where nutrient control strategies have directly been responsible for substantial or widespread adverse impacts resulting in the degradation of the environment, substantial reductions in the habitat of fish and wildlife, or have caused a fish or wildlife population to drop below self-sustaining levels, threatened to eliminate a plant or animal community, reduced the number or restrict the range of a rare or endangered plant or animal or eliminates important examples of the major periods of California history or prehistory

Although potentially significant adverse impacts to Biological Resources IV(a) were identified, it is impossible based on current information to know whether those potential impacts may be able to be mitigated to less than significant levels; or alternatively if the impacts ultimately turn out to be less than significant. The Central Coast Water Board, when considering approval Basin Plan

³ Refer to TMDL Project Report (attachment 2 to the Staff Report)

amendments will balance the economic, legal, social, technological, or other benefits of TMDL implementation against the potentially significant adverse effects when determining whether to approve the Basin Plan amendment, and has the authority to make a statement of overriding considerations, if it finds that the adverse environmental effects are acceptable given the identified benefits.

The Final Project Report (attachment 2) evaluated environmental, economic, and technical factors, including the water quality of the project area, the impacted population, the technical issues affecting the reasons for the impairment and that would affect the ability to comply with the TMDL, and the reasonably expected cost of compliance.

ANTI-DEGRADATION

These Basin Plan amendments are consistent with the provisions of the State Water Resources Control Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California" and 40 CFR 131.12. The adoption of the proposed basin plan amendment and TMDL implementation plan will not de-designate or limit beneficial use designations, will not relax any water quality standard, and will not result in lowering of water quality. The proposed Basin Plan amendments will result in water quality improvements; therefore, state and federal anti-degradation analyses are not required.

SCIENTIFIC PEER REVIEW

Health and Safety Code section 57004 requires external scientific peer review for certain water quality control policies. Policy and guidance for peer review states that scientific review is not required if a new application of an adequately peer reviewed work product does not significantly depart from the reviewed approach.⁴ The State of California and USEPA have approved several TMDLs where the scientific basis was drawn from previously reviewed TMDLs, thereby negating the need for further review; such a practice is in the best interest of conserving and efficiently utilizing state resources.

The scientific portions of this TMDL are drawn exclusively from the Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in the lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed, which has undergone the required external scientific peer review. As a result, the scientific portions of this TMDL have already undergone external, scientific peer review. Consequently, the Central Coast Water Board has fulfilled the requirements of Health and Safety Code section 57004, and the proposed amendment does not require further peer review.

PUBLIC INVOLVEMENT

Staff conducted stakeholder outreach efforts throughout the project process. Staff worked with city, county, state, and federal agencies during the data collection and data analysis phases. Results of coordinated efforts were publicized in newspapers and distributed via email.

⁴ State of California: Unified California Environmental Protection Agency Policy and Guiding Principles For External Scientific Peer Review, March 13, 1998

Staff made several presentations and engaged with stakeholders during the development of the TMDL. Staff made contact with and/or persons from the following list attended the meetings:

- Cattle ranchers
- Cachuma Resource Conservation District
- Coastal San Luis Resource Conservation District
- Irrigated agriculture representatives
- City of Santa Maria
- Central Coast Salmon Enhancement
- City of Guadalupe
- Santa Barbara County
- San Luis Obispo County
- Laguna County Sanitation District
- Nipomo Community Services District
- Northern Chumash Tribal Council
- San Luis Obispo Coast Keeper
- San Luis Obispo Farm Bureau
- State Parks
- U.S. Fish and Wildlife Service
- UC Cooperative Extension

Staff conducted CEQA stakeholder scoping meetings on December 12, 2006, February 26, 2007, and October 16, 2008.

Staff held other stakeholder meetings in January 25, 2011, June 14, 2012, and November 9, 2012, prior to the formal public comment period preceding the Central Coast Water Board public hearing to consider adoption of the TMDL. Staff responded orally to public comments and questions at the stakeholder meetings.

This Staff Report, Resolution, and other attachments were made available for formal public comment on December 13, 2012. Staff provided a 60-day formal public comment period, as requested by stakeholders, rather than the required 45-day comment period. Water Board staff solicited public comments from a wide range of stakeholders including owners/operators of agricultural operations, agricultural representatives, environmental groups, resource professionals, public agencies and representatives of city and county storm water programs.

Comments were received from:

1. Mr. Marty Wilder, Manager, Laguna County Sanitation District, in an email received December 31, 2012.
2. Mr. Richard E. Adam, Santa Maria Valley farmer, in a letter received January 25, 2013.
3. Ms. Claire Wineman, President, Grower Shipper Association of Santa Barbara and San Luis Obispo Counties, in an email attachment received February 11, 2013.
4. Mr. Richard G. Sweet, P.E., Director of Utilities, City of Santa Maria, in an email attachment received February 11, 2013.
5. Ms. Janet Parrish, TMDL Liaison, US EPA, in an email attachment received February 11, 2013.
6. Ms. Janet Parrish, Suzanne Marr, and Jamie Marincola, US EPA, detailed comments included in an email attachment from Janet Parrish, received February 11, 2013.

Public comments and staff responses are included as attachment 5 to this Staff Report.

RECOMMENDATION

Adopt Resolution No. R3-2013-0013

ATTACHMENTS:

The attachments are available at:

http://www.waterboards.ca.gov/centralcoast/water_issues/programs/tmdl/docs/santa_maria/nutrients/index.shtml

1. Resolution No. R3-2013-0013 and Basin Plan Amendment Language
2. Final Project Report: "Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate in Santa Maria River Watershed and Tributaries to Oso Flaco Lake"
3. CEQA Substitute Document
4. Notice of Opportunity for Public Comment
5. Public Comment and Staff Responses
6. Notice of Public Hearing / Notice of Filing

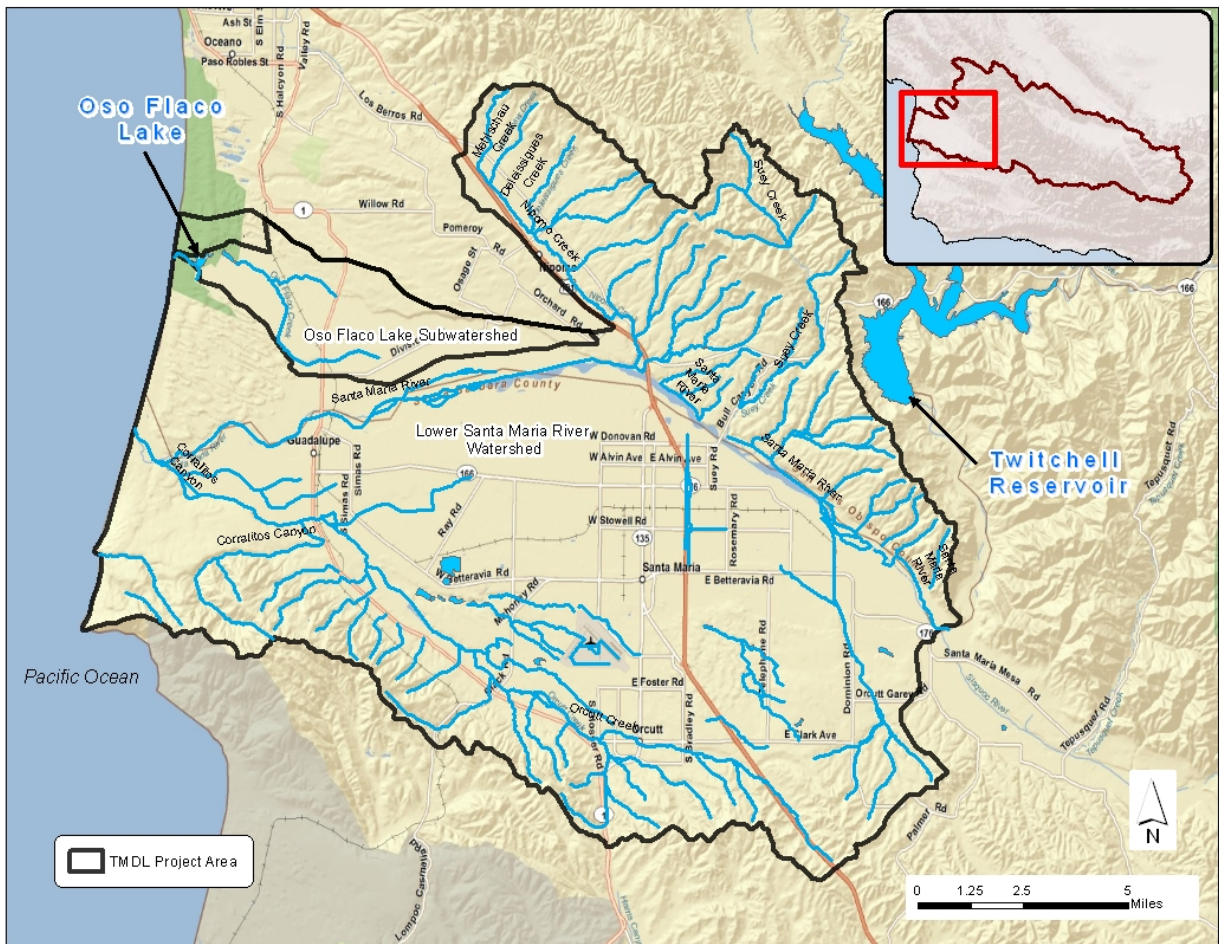


Figure 1. TMDL Project Area